

MAIL STOP PCT

IAP13 Rec'd PCT/PTO 27 NOV 2006

Docket No. 278432US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Naohiko HIROTA, et al.

SERIAL NUMBER: 10/550,528

FILING DATE: September 22, 2005

FOR: BARLEY LIPOXYGENASE 1 GENE, METHOD OF SELECTING BARLEY VARIETY, MATERIAL OF MALT ALCOHOLIC DRINKS AND PROCESS FOR PRODUCING MALT ALCOHOLIC DRINK

RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371

COMMISSIONER FOR PATENTS
BOX PCT
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated September 25, 2006, and in accordance with the provisions of 35 USC 371, Applicants submit herewith a Rule 63 Declaration, a copy of the English translation of Specification, and a Supplemental Application Data Sheet.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our payment in the amount of \$0.00 is paid herewith by credit card. If any difference exists between the amount due and the amount being paid herewith, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Registration No. 24,618

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/06)

Surinder Sachar
Registration No. 34,423



UNITED STATES PATENT AND TRADEMARK OFFICE

DTY

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 35 10/550,528	FIRST NAMED APPLICANT Naohiko Hirota	ATTY. DOCKET NO. 27843US0PCT
		INTERNATIONAL APPLICATION NO. PCT/JP04/04217
		I.A. FILING DATE 03/25/2004
		PRIORITY DATE 03/25/2003
CONFIRMATION NO. 3047 371 FORMALITIES LETTER *OC000000020564728*		

Date Mailed: 09/25/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/22/2005
- English Translation of the IA filed on 09/22/2005
- Copy of the International Search Report filed on 09/22/2005
- Information Disclosure Statements filed on 09/22/2005
- Request for Immediate Examination filed on 09/22/2005
- U.S. Basic National Fees filed on 09/22/2005

RECEIVED: 9/28/06
 OBLON, SPIVAK, McCLELLAND
 MAIER & NEUSTADT, P.C.
 DOCKETING DEPT.
 Initials/Date Docketed: PP 9/28/06
 Type of Resp(s): Deed Due
 Due Date(s): 11-25-06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,528	PCT/JP04/04217	278432US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)